BEFORE THE JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION	:	CASE NO. MDL DOCKET NO. 1850
	:	**DECLARATION OF WES BARRICKLOW OF HILL'S PET NUTRITION, INC. IN SUPPORT DEFENDANTS' MOTION TO ADOPT THE RETRIEVAL PLANS FOR ORGANIZED RECALLED PRODUCT THAT WERE RECOMMENDED BY DEFENDANTS' EXPERT**

STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1) I am the current Director of Product Development and former Director of Supply Chain Integration of Defendant Hill's Pet Nutrition, Inc. ("Hill's"). I am making this Declaration based upon personal knowledge and am competent to testify to the matters stated below.

2) In my position as Director of Supply Chain Integration for Hill's, my duties and responsibilities included accounting for and managing the storage of the recalled pet foods currently being stored by Hill's and overseeing any issues related to that storage.

3) In March, April and May 2007, Hill's recalled certain pet foods that may have been contaminated with wheat gluten that was purchased from ChemNutra, Inc. As a result of

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Exhibit D to Retrieval Motion

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the recalls, much recalled product was retained by, returned to and collected by Hill's. Hill's has 28,001 cases of product and an additional 6,638 individual bags of product.

4) The recalled products are inventoried by product-type or SKU and a date code. These products are stored in cases and/or bags and stacked on full or partial pallets, which is similar to how Hill's stores these products at its manufacturing facilities. There are records and documents that show whether the stored product ever left Hills's warehouse or was delivered to a retailer and returned. Most of the recalled pet food is currently stored in Richmond and Muncie, IN, but recalled product is also being stored in City of Industry, CA, Seattle, WA, Vacaville, CA, and Nashville, TN.

5) Hill's does not maintain any unorganized product.

6) To date, Hill's has not disposed of, and continues to store, the approximately 28,001 cases and 6,638 bags of product in its possession.

7) An "SKU date" represent all product of a particular recipe that is produced in a given production run at a Hill's plant on a given day.

8) Hill's produces its pet food product in batches of the same recipe, and usually no more one batch is used to manufacture the product within a particular SKU date. Typically, there are one or two batches per SKU date.

9) At the beginning of Hill's production process, the raw materials for each batch are thoroughly mixed leading to a uniform batch. The mixed recipe then is placed into units, which are either cans or bags. At the end of the production process, cans are placed into cases in sequential order and the cases then are placed onto pallets in sequential order. Bagged product is

placed directly onto pallets in sequential order. As a result, the last case or bag placed on the top of one pallet will contain units that were produced immediately before the units in the first case or bag placed on the bottom of the next pallet.

10) Typically, there were 300 or 128 bags per pallet. Specifically, Hill's has approximately two variations on the number bags per pallet depending on the size of the units, which are as follows:

4 lbs. bags: 300 bags per pallet

10 lbs. bags: 128 bags per pallet

11) The units produced in one individual batch can fill multiple pallets.

12) Hill's' production process is designed to provide high quality pet foods to customers. One way the quality is measured is through a low percent of variation in the product. To help assure this quality, the production process is designed to provide high levels of uniformity within batches and between batches.

13) If the product is produced by a co-manufacture – and the Hill's cans at issue were manufactured by Menu Foods GenPar Limited – they are held to the same quality standards as Hill's internal plants.

14) It is most practical at this time for Hill's to select and store intact cases of product rather than to open cases and organize and store individual cans from cases. This method will minimize human error that could occur in the selection and storage of the retrieved product.

15) The safest way for Hill's' employees to retrieve cases or bags from pallets is for them to retrieve the cases or bags from the top of the pallet, as opposed from within different

places in the pallet. The selection of cases or bags would pose a greater risk of injury if pallets (which can be stacked up to 4 pallets high) were required to be broken down and cases or bags selected from within each pallet. There is a risk that cases or bags above will break and/or fall, possibly causing injury to Hill's' employees. This risk does not exist if cases or bags are retrieved only from the top of a pallet, as such cases or bags can easily be identified and selected from the pallet without needing to break down the pallet.

16) I previously conveyed the information in this declaration to Dr. McCabe.

17) I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 11, 2008.

Wes Barricklow